



**PLANNING BOARD  
MEETING  
APRIL 8, 2010  
\*\* FINAL COPY \*\***

**PRESENT:** Chairman Craig Francisco; Frank Bolton, Vice Chairman; Neal Kurk, Secretary; Dani-Jean Stuart; Chip Meany, Land Use Coordinator; Sheila Savaria, Minute Taker

**GUESTS:** Frank Campana, Debbie Brown, Burt Brown, Craig Nixon, J.M. Brown

**I. CALL TO ORDER:**

Chairman Craig Francisco called the meeting to order at 7:01 PM at the Weare Town Office Building.

**II. PUBLIC HEARINGS:**

DEBBIE BROWN - REVIEW OF SIGN PERMIT: Debbie Brown says that the sign in question is a 'grandfathered' sign, so she is not sure if the total square footage of the proposed Moody Pond Marketplace sign should be included with that sign. The permit is not for the sign, it's to change its location because of the ordinance.

Neal Kurk comments that there are 2 separate issues that need to be addressed. The first is the resolution of issues with the existing sign, and the second is for the additional new sign. In regards to the existing sign, the location of where the sign is located, is not the property on which the business relates. The Brown's had permission from the Hamblett's, the previous owners, to put the sign in that location, and at that time that was acceptable.

Chairman Craig Francisco asked if the existing sign had a permit, Ms. Brown said yes. Chairman Francisco commented that the existing sign is not an issue. Ms. Brown said there are 48 square feet on the existing sign, one-sided.

Frank Bolton asked Ms. Brown if they were actually giving out permits for signs that were that old (about 15 years). Ms. Brown clarified that they had a permit to move it,

not for the sign itself. The permit is dated April 2008.

Chairman Francisco asked Ms. Brown if she is asking for a permit for a new sign that is 3 x 10. She says yes, which was in the limits of the 64 sq ft, and she didn't know it would be added to the existing sign, because it's a new business in a new building. Ms. Brown thought it was a separate business in the commercial zone could have its own signage.

In regards to location of the new sign, Ms. Brown wants to put it where the farmer's porch meets the roofline, like an old country store (sample pictures were provided to the board). The building itself is 24 feet long, so if she had a 10 foot sign, it would leave 7 feet on each sign, which she feels would be aesthetically pleasing. If she diminishes the signs length, she feels it would not look as nice.

Chairman Francisco explained that she has 48 sq. ft. of sign existing, there are 64 sq. ft. allowed, so Ms. Brown has 16 sq. feet left for new signage. Ms. Brown asked if that would be added on to the Brownies sign that is already there. Chairman Francisco said that it would.

Ms. Brown said that she also wanted to put up a 'sandwich board sign' to advertise what products the business will be carrying. It is a removable sign that she would bring in at the close of business every evening. Mr. Kurk said as long as it doesn't exceed 2' x 3', and as long as its taken in each night, it is permitted and it doesn't count toward the 64 sq. ft limit.

There was discussion about where the new sign would be placed. Ms. Brown would like it on top of the roof. Mr. Kurk said that it is violation of ordinance section 34.9.2, which talks about signs not being allowed on the roof. If Ms. Brown could fit the sign on the gable end, assuming it fit there, that would be a permitted location. Mr. Kurk said that the board does not have the authority to waive that, but says there is a provision that says there is a provision (34.10.3.2) that describes a special exception for the size of the signage, and if she put in an application for a special exception to go beyond the 64 sq. ft., the Zoning Board of Adjustment (ZBA) has the power to consider that. If she shrunk the sign to fit in the 16 sq. ft. she has left out of the 64 sq. ft. total, then no special exception is necessary. Regardless of the size of the sign, unless Ms. Brown goes to the ZBA for a variance, it can not go on the roof. Ms. Brown asked for permission to put a 2' x 8' sign on the gable end temporarily, and then apply for a variance for the larger sign?

Chairman Francisco clarified that Ms. Brown would have to go to the ZBA to get the variance for the sign on the roof and a special exception for the size, then go back to the planning board to have it approved.

Dani-Jean Stuart asked the board if the current sign pictured is 1 sign or 3. Chairman

Francisco felt it was 1 sign. Chip Meany says if needed, it could be pushed together to make one sign. Tom Clow feels that because the sign is under one ownership, it is considered 1 sign.

Neal Kurk made a motion to approve a 2' x 8' sign to be placed on the gable end of the sales building, this being the second of 2 signs on the premises, whose square footage totals sixty-four; the motion was seconded, all voted in favor.

The work session was finished at 7:21 pm.

### **III. OTHER BUSINESS:**

Chairman Francisco asked about getting copies of the new zoning ordinances that were passed this spring. Mr. Meany said he asked that everything be updated appropriately and copies will be made and distributed. There was discussion of a new yellow book. The website will be updated once the book is updated.

#### APPROVAL OF 3-25-10 MINUTES:

There were several corrections made by the board to the 3-25-10 minutes.

Neal Kurk made a motion to accept 3-25-10 minutes as corrected, to be approved; Frank Bolton seconded, all voted in favor.

#### APPROVAL OF 3-25-10 SITE-WALK MINUTES:

As there was some overlap between the site-walk minutes and the meeting minutes from 3-25-10, so there were some corrections made.

Chairman Francisco made a motion to approve 3-25-10 minutes as amended for the site walk, as corrected; Neal Kurk seconded, all voted in favor.

#### RACE TRACK APPLICATION ISSUES:

Mr. Meany mentioned that the race track withdrew their application for site plan review. Mark Piekarski and Mr. Meany are trying to find a time to meet to review his plan and review it with his site plan that was approved by the board in either 2007 or 2005, to look at the trees and the track. There was discussion on whether Mr. Piekarski expanded the track or not, which is what triggered the site plan review. Mr. Clow notes that this issue was not on the agenda, and before more discussion, consider that the person being discussed is not present. Mr. Meany replied that he is informing the board where he is with the situation. Chip finished by saying that he had informed Mr. Piekarski that he had to file a site plan and have it to him by the end of May so he can be heard and will not have to be shut down.

ABUTTER AT HIGH ROCK:

Chairman Francisco says there was a lot line adjustment done, approval of a plan and he subdivision were recorded, but the deed was not changed. Mr. Meany said that he spoke with Mr. Fitzgerald about that, and he said he had done his part and had given everything to the Daniels' family, and that he had left it up to them to record the deed. Chairman Francisco asked Mr. Meany to contact the Daniels' to see if they got a deed and ask them to record it if they do. Mr. Meany agreed to do that.

DISCUSSION ON REGULATIONS 34.1 & 34.2 FOR NEXT MEETING:

Frank Bolton asked for a discussion at the next meeting on RSA 674.19, page 444 of the new law book (New Hampshire Planning and Land Use Regulations book) about the applicability of zoning ordinance which affects 2 or 3 of the regulations. Mr. Bolton wants to discuss if the board is satisfied with the regulation in place, and if the board is actually achieving this. He also says he has ideas to enhance how they apply the regulation. He is suggesting the board read over the zoning regulations to discuss if they can be improved. Mr. Bolton will send an email before the next meeting on some of the topics he would like to discuss.

DISCUSSION ON SUSTAINABLE USE:

Dani-Jean Stuart asked the board to start thinking about the amount of commercial property that is zoned, and what they should do to protect the rural quality of the town related to potential future development. Ms. Stuart agreed to send an email to the members of the board regarding these issues before the next meeting.

Chairman Francisco mentioned that he would like to discuss road standards next time, and subdivision regulations in general, noting that there are several contradictions between subdivision and zoning regulations. Chip mentioned that the ZBA is reviewing the variances, and mentions that perhaps the planning board next meeting.

**IV: ADJOURNMENT:**

As there was no further business to come before the board, Tom Clow moved to adjourn at 8:11 PM; Neal Kurk seconded the motion, all in favor.

Respectfully Submitted,

Sheila Savaria  
Minute Taker